

COVINGTON ESTATES - (01-41)

Mr. Ross Winglovitz appeared before the board for this proposal.

MR. PETRO: This is a 130 unit multi-family residential development.

MR. WINGLOVITZ: Ross Winglovitz from Tectonic Engineering. We were last in front of board I guess it was last month, beginning of this month regarding what's now called Covington Estates, formerly Harp Estates, we've changed the name.

MR. PETRO: Let me find the right page. This application proposes development of 3 tax parcels with 124 multi-family housing units. This application was previously reviewed at the 13 June, 2001 and 10 October, 2001 planning board meetings. It's R-5 zoning district, which is 6 units per acre, approximately. The bulk information is correct as presented. There are a couple of open issues which we'll get to. I know you were here at the October meeting, we had asked you to do a few things.

MR. WINGLOVITZ: We met at the October meeting, we talked about SEQRA and the public hearing. The board's direction was to meet back with Mark at a work session, make sure he was comfortable with the layout and the engineering, so that he can advise the board if it was ready to have a public hearing. We have made some revisions since the last meeting. We have completed geotechnical investigations on site, they have done test pits across the site, obviously, because of the concern about rock and foundation to the buildings, what that has done is created a revision where we have pushed the units further apart away from the rock knob which will be a central feature to the site now and moved the roads slightly closer to Temple Hill Road Route 300.

MR. PETRO: I asked to make sure there was a note on the plan somewhere about the road being a town road and some day it might be opened up when you file with the Attorney General's office that it's disclosed.

MR. WINGLOVITZ: Yes, I believe it's on the survey sheet, that was part of the offer of dedication previously.

MR. EDSALL: One of the things that we worked out at the workshop you'll notice the alignment of the road has been adjusted so that it's set up so that it works both currently and it's set up so if the road is extended it if it's necessary, so they have adjusted to maintain the stone wall roadway as it currently exists, but fit everything in so it works both current and future.

MR. PETRO: So it lines up with the one that comes out at Vails Gate Heights?

MR. EDSALL: It matches with them existing path in case it does, it's set up so it can be readily extended, let Ross show you the way the intersection is.

MR. PETRO: Just in case I'm ever supervisor and it's something I want to do.

MR. WINGLOVITZ: Another change that Mark is discussing here this was basically a cul-de-sac large loop road around here, we have done away with that and keyed the intersection here so that provided for the extension of that intersection, should the town desire to build that across the railroad tracks and connect Forge Hill Road through to the opposite side. Previously, the board had declared its intent to be lead agency as far as SEQRA goes, it's all circulated, there was a large document submitted back I think in September, excuse me and an amended EAF with a Part 3, part 3 addressing drainage, archeological, traffic and other issues identified in the Part 2 as a concern.

MR. PETRO: Cut to the chase here, so we don't do things unnecessarily, there's two issues, I don't know if you read Mark's comments, there's one major one, actually, they're both major, but the one that you're not in the water district in the town.

MR. WINGLOVITZ: Correct.

MR. PETRO: So you're going to need to get Town Board approval to become in the water district. Now without that obviously there's no sense of us looking at the plans.

MR. WINGLOVITZ: We're entirely surrounded by the water district here, water main goes down the road, the actual district maps, so I have the overlapping part of the property, but some reason the middle of the property is not shown in the district we're not sure, we actually have the engineer's reports and the petitions to the Town Board.

MR. PETRO: Now, my question is and I don't want to debate this here because it's not a court of law whether or not if you don't get the water capacity from the town, certainly you're not going to be putting in wells and you're, it's not going to happen, so should we not secure that information first before you schedule a public hearing and go any further from this point? Conceptually, your plan is agreeable with the board, this is the third time that we have looked at it. I think that to go forward, you should go to the town and secure the rights to your water. There's no sense of sending out notices, getting the public hearing getting all that going through that procedure if it becomes a moot point.

MR. LANDER: And sewer also.

MR. EDSALL: Just as an update to the sewer, since I did my comments, I saw copy of a memo from John Agida who raised some capacity issues for the sewer lines, so again, that's an issue that you can either decide to deal with after the public hearing or before the public hearing, but it is an issue.

MR. WINGLOVITZ: Strictly engineering issues, I've not seen it.

MR. EDSALL: I had it faxed after I did these comments. Bottom line is that again, it's an issue that needs to be addressed, just a matter of when you want to have it addressed.

MR. PETRO: Now you're aware of it, sewer capacity, but the first one troubles me more than the second one. I just hate to go through all that procedure and you're bringing in the public for something that may never happen. I'm not putting the light on it either way, I don't know what's going to happen, it's not for me to say.

MR. WINGLOVITZ: I'll talk to my client, but one thing I can maybe offer if the board could set a public hearing subject to that being resolved, I don't know if that would be acceptable to David.

THE APPLICANT: If at all possible, could we proceed with public hearing? I mean, that would be our choice, if we could.

MR. PETRO: Just the opposite of what I'm trying to get away from. We're going to be having a public hearing not knowing if it can be built or not because you don't have any water. Would we continue with this project with the public hearing if you knew that you were not going to have any roads or not going to get a curb cut?

THE APPLICANT: I don't know what the policy is in extending the water district, but it seems that we're partially in the water district and that all three sides of us were in the water district. I don't know if it was an oversight in the overlay of the maps or I don't think it was a policy decision to exclude.

MR. WINGLOVITZ: We're obviously under law benefited by the water district since it runs in front of our property, so I think from a procedural standpoint, we should have been included. Obviously, we weren't and I need to accept that and our attorney advised us they are comfortable based on the law and what they see as far as the maps.

MR. PETRO: Have you been to the town at all to get any input?

MR. WINGLOVITZ: No.

MR. PETRO: About being admitted into the water district?

MR. WINGLOVITZ: They're being filed as we speak in the next few days.

MR. BABCOCK: This is a permitted use only if you have water and sewer, so they have to have the water and sewer.

MR. EDSALL: You're basically looking to have the public hearing after it's confirmed that the Town Board is going to authorize the extension. Maybe what you can do is authorize the public hearing with the date to be set by the Chairman after you have been notified that the Town Board is approving it.

MR. WINGLOVITZ: That would be acceptable.

MR. PETRO: We'll save you a trip by providing the secretary or the attorney from the town that you secured the water and sewer, authorize the date for the public hearing.

MR. ARGENIO: So moved.

MR. WINGLOVITZ: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board have a public hearing for the Covington Estates site plan on Temple Hill Road. Is there any further discussion, subject to the applicant providing the ability to have water and sewer on the site. In other words, all that we're going to do is save them a step coming back here for to us to do that. You understand that, right, we're not setting a date at this time.

MR. WINGLOVITZ: I think that's fair.

ROLL CALL

MR. BRESNAN	AYE
MR. ARGENIO	AYE
MR. KARNAVEZOS	AYE

MR. LANDER AYE
MR. PETRO AYE

MR. PETRO: Before we close this up, do you have any other site plan questions you want to go over with the board? Anything else, any of the members have any questions for the applicant as far as site plan issues, not something we've already gone over?

MR. EDSALL: Mr. Chairman, one other issue, Myra, have you gotten back any responses on lead agency?

MS. MASON: Didn't we take lead agency?

MR. EDSALL: We have taken that. At this point you've gotten a full environmental assessment form with some rather complete attachments, I believe that should be enough information for you to move forward. The only additional issue that I'm going to request that they add as a supplement is once, and as I apologize for not having a copy of John's memo, once you have that, you should address it and then add that in as a supplement to address the sewer capacity issue.

MR. WINGLOVITZ: Not a problem. We have a report, I think it's in the full EAF, we'll just amend that report.

MR. EDSALL: To address John's concerns and then I believe we have, unless something else comes up, there should be enough information for us to move forward.

MR. PETRO: I like your construction entrance there. First time I've ever seen that on a map.

MR. WINGLOVITZ: Actually showing construction entrance.

MR. PETRO: Actually showing stabilized.

MR. EDSALL: It's been on other plans, you just haven't noticed.

MR. PETRO: We're even for the night.

MR. EDSALL: You've been too busy administering the operations of the board.

MR. WINGLOVITZ: We talked at the work session about Meadowbrook Estates, which is the other subdivision we had been processing. We're in the same situation, actually, we need water and sewer district extensions. The only thing I wanted to talk about is when we first were here, we had not done a circulation for lead agency because we asked for a planned, we weren't sure if it was going to be the Town Board or planning board. We revised our plan to a conventional plan and my expectation this board would take the lead on SEQRA, I wondered if we could take a motion for lead agency so we can get that going to the Town Board and anybody else involved.

MR. PETRO: I think what you should do there also before we take any action of any kind, I think you should go to the Town Board there and find out if you're going to be able to get--

MR. WINGLOVITZ: They're going to need to be involved in the SEQRA anyway, I thought that would be a good way to get to them regarding the SEQRA.

MR. PETRO: You're going to need an outside user permit for the sewer and I think you're going to need to check with the Town Board or districts and I don't know that they have been doing that, so I think that's even more important for that one I think for this.

MR. WINGLOVITZ: We understand that's why we're not on the agenda for review because of that issue because I think that we can do SEQRA so that would take that issue away when it got to the town board, they don't have to go back and do SEQRA.

MR. PETRO: It's not on the agenda, it's not listed, not posted, I don't want to take any action on something that's not my advice. Again, if you want to informally go and check and see what you can get and what you're not going to get, I would do that and if that doesn't happen, then you certainly can come back in with the one acre lots which would be acceptable

November 14, 2001

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under the old zoning provided your own water, providing your well and septic.

MR. WINGLOVITZ: All right, thank you.